

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

GREG'S GREATER CHICAGO )  
CHIROPRACTIC, LLC, )  
on behalf of Plaintiff and a class, )  
 )  
Plaintiff, ) 13 C 6400  
 )  
v. )  
 )  
MIDWEST NUTRITIONAL )  
SERVICE, INC., and JOHN DOES 1-10, )  
 )  
Defendants. )

## **AFFIDAVIT OF ANDREW BARNETT**

I, Andrew Barnett, declare under penalty of perjury, that the following statements are true:

1. I am over twenty-one years of age and am employed at CyberData, Inc. (“CyberData”).
2. CyberData provides claims administration services, including class notification, claims processing and distribution services. CyberData does business as Class-Settlement.com.
3. Class-Settlement.com was retained as the Class Administrator by the parties to give notice by fax, mail, and publication, create the claims website, provide claims administration services, mail and collect W-9 forms and administer the Settlement Fund. I coordinated the notice and administration efforts and have knowledge of what work was performed.
4. This declaration is submitted in support of Plaintiff’s Memorandum in Support of Final Accounting.

5. On September 25, 2015, Class-Settlement.com received a check in the amount of \$63,500.00 from Class Counsel, which was deposited into the *Greg's Greater v. Midwest Nutritional Class Settlement Fund*.

6. On October 19, 2015, Class-Settlement.com mailed settlement checks to each of the 165 Settlement Class Members. All Settlement Class Members were paid \$384.84.

7. Each settlement check contained a void date of December 18, 2015 and return address of Class-Settlement.com, P.O. Box 9009, Hicksville, NY 11801-9009.

8. No settlement checks were returned as undeliverable by the U.S. Postal Service. One Settlement Class Member requested a check to be reissued. The Settlement Class Member requested a new check because the organization had recently closed. The Settlement Class Member provided verification to substantiate the request for a new check.

9. As of January 13, 2016, 161 Settlement Class Members had cashed their settlement checks. The remaining 4 Settlement Class Members had not cashed their settlement checks. In sum, there was a total distribution to the Settlement Class of \$61,959.24.

10. As of December 22, 2015, \$1,540.76 remained in the *Greg's Greater v. Midwest Nutritional Class Settlement Fund*, composed of \$1,539.36 from uncashed settlement checks by Settlement Class Members and \$1.40 in undistributed funds due to rounding.

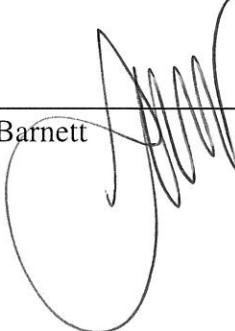
11. On January 15, 2016, Class-Settlement.com issued and mailed a check in the amount of \$1,540.76 payable to LAF as a *cy pres* distribution. (Exhibit A)

12. Class-Settlement.com was paid a total of \$3,750.00 for notice and administration.

13. As of February 3, 2016, there are no funds remaining in the *Greg's Greater v. Midwest Nutritional Class Settlement Fund*.

Executed this 9<sup>th</sup> day of February, 2016, at HICKSVILLE, NY.

Andrew Barnett

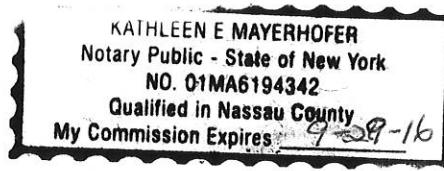


Subscribed and sworn before me

this 9<sup>th</sup> day of February, 2016

Kathleen E. Mayerhofer  
Notary Public

Executed on February 9<sup>th</sup>, 2016



**CERTIFICATE OF SERVICE**

I, Heather Kolbus, certify that on February 12, 2016, I caused a true and accurate copy of the foregoing document to be filed with the Court's CM/ECF system, which will cause notification of such filing upon the following:

Anthony T. Eliseuson ([anthony.eliseuson@dentons.com](mailto:anthony.eliseuson@dentons.com))

William M. Gantz ([bill.gantz@dentons.com](mailto:bill.gantz@dentons.com))

Jacqueline A. Giannini ([jacqui.giannini@dentons.com](mailto:jacqui.giannini@dentons.com))

DENTONS US LLP

233 S. Wacker Drive, Suite 7800

Chicago, IL 60606

John D. Dalton ([jdalton@baughdaltonlaw.com](mailto:jdalton@baughdaltonlaw.com))

Emily R. Norris ([enorris@baughdaltonlaw.com](mailto:enorris@baughdaltonlaw.com))

Jennifer E. Simms ([jsimms@baughdaltonlaw.com](mailto:jsimms@baughdaltonlaw.com))

BAUGH, DALTON, CARLSON, & RYAN, LLC

135 S. LaSalle Street, Suite 2100

Chicago, IL 60603

s/ Heather Kolbus

Heather Kolbus

Daniel A. Edelman

Cathleen M. Combs

James O. Lattner

Heather Kolbus

EDELMAN, COMBS, LATTNER & GOODWIN, LLC

20 S. Clark Street, Suite 1500

Chicago, Illinois 60603

(312) 739-4200

(312) 419-0379 (FAX)